

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ADAM R. HOUSER,	:	Case No. 5:04CV1655
	:	
Petitioner,	:	JUDGE KATHLEEN O'MALLEY
	:	
v.	:	
	:	<u>MEMORANDUM AND ORDER</u>
ATTORNEY GENERAL OF THE	:	
STATE OF OHIO	:	
	:	
Respondent.	:	

On August 5, 2005, the Court entered a memorandum and order (docket no. 19) dismissing Adam Houser's ("Houser") petition for a writ of habeas corpus without prejudice, subject to reopening upon the motion of either party, with the statute of limitations on petitioner's exhausted grounds being stayed pending reopening. The Court's Order was conditioned on Houser's obligation to return to state court to file a delayed appeal relating to his third and fourth grounds for relief within thirty (30) days, and then thirty (30) days after the final state-court ruling on his third and fourth grounds for relief to file a motion to reopen this action.

Upon consideration of Houser's notice to the Court (docket no. 21), the Court hereby extends the above referenced deadlines by ninety (90) days.

IT IS SO ORDERED.

s/Kathleen M. O'Malley
KATHLEEN McDONALD O'MALLEY
UNITED STATES DISTRICT JUDGE

Dated: August 31, 2005